

HOUSE BILL 1784
By Kernell

AN ACT to amend Tennessee Code Annotated, Title 2, Chapter 13, Part 202; Title 4, Chapter 3, Part 112, Title 4, Chapter 3, Part 13; and Title 8, Chapter 6, Part 1, relative to the election and qualifications of the commissioner of commerce and insurance and solicitor general.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 2, Chapter 13, Part 202, is amended by inserting the following as a new, appropriately designated item:

() Commissioner of commerce and insurance.

SECTION 2. Tennessee Code Annotated, Title 4, Chapter 3, Part 112, is amended by adding the following language as a new subsection:

() Beginning in November, 1998, the commissioner of commerce and insurance shall no longer be appointed by, nor hold office at the pleasure of, the governor.

SECTION 3. Tennessee Code Annotated, Section 4-3-1302, is amended by deleting the language thereof in its entirety and by substituting instead the following:

(a) At the regular election in November, 1998, a commissioner of commerce and insurance shall be elected by the qualified voters of the state, the term of office to begin on January 1st following such commissioner's election.

(b) The term of office for the commissioner of commerce and insurance shall be for four (4) years. No person may serve as commissioner more than two (2) consecutive four (4) year terms.

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(c) No candidate for the office of commissioner and no incumbent commissioner shall receive any campaign contributions from any employee, officer or agent of any insurance company or trade association.

SECTION 4. Tennessee Code Annotated, Title 4, Chapter 3, Part 13, is further amended by adding the following as new sections:

Section _____. The commissioner shall be a resident citizen and qualified voter of the state and shall not be less than twenty-five (25) years of age.

Section _____. The department of commerce and insurance shall be under the charge and general supervision of the commissioner of commerce and insurance.

Section _____.

(a) The commissioner shall not accept any gift of value from any employee, officer, or agent of any insurance company or trade organization.

(b) After the expiration of the elected term or after being discharged from duty, the commissioner shall not:

(1) Accept any employment involving any aspect of the insurance industry for a period of two (2) years.

(2) Lobby the executive or legislative branch on insurance-related matters for a period of five (5) years.

SECTION 5. This act shall take effect July 1, 1997, the public welfare requiring it.